

Notice of Allowability

Application No.

09/894,007

Examiner

John P Trimmings

Applicant(s)

FOUGHT ET AL.

Art Unit

2133

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to applicant's amendment dated 7/2/2004.
2. ☒ The allowed claim(s) is/are 31-35, 37-46 and 48, renumbered as 1-16.
3. ☒ The drawings filed on 02 July 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 12022004.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

ALBERT DECADY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2133

DETAILED ACTION

This office action is in response to the applicant's amendment dated 7/2/2004.

Claims 1-30 are canceled by the applicant.

Claims 31-48 are added and are pending in this action.

Response to Amendment

1. In view of the amendment to the Drawings, the examiner's objection to FIG.2 is withdrawn.
2. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because FIG.2 is not in publishable condition. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.
3. In view of the amendment to the Specification, the examiner's objection is withdrawn.

EXAMINER'S AMENDMENT

The examiner and the applicant, on 12/2/2004 in a telephone interview, discussed new claims 31-48, and patentability of each of the three independent claims 31, 38 and 44. It was agreed that the claims are allowable based on the following examiner's amendments:

4. As per Claims 32,33,34,35 and 37: The 1st line of each claim should begin with the recitation, "The method of Claim 31".
5. The applicant has canceled Claim 36.
6. The applicant has canceled Claim 47.
7. The applicant has amended Claim 31 beginning at line 10 as follows; "determining that the buffer circuit is operational ~~in response to a strobe window defined by the first signal and the second signal satisfying criteria associated with proper operation by~~ generating a pass signal in response to a difference between the delay of the strobe signal associated with the first signal and the delay of the strobe signal associated with the second signal being indicative of an improper strobe window.".
8. The applicant has amended Claim 44 beginning at the last line 9, as follows:
"integrated circuit is operational based upon the status signal indicating a pass status in response to a difference between the delay of the strobe signal associated with at least one latched bit differing from its corresponding driven bit and the delay of the strobe signal associated with all latched bits differ from their corresponding driven bits being indicative of a proper strobe window.".
9. It was also agreed that Claim 38 is allowable in its present form.

Therefore, as a result of the examiner's amendment above, Claims 31-35, 37-46 and 48 remain pending in this action.

Allowable Subject Matter

10. Claims 31-35, 37-46 and 48 are allowed.

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1. The following is an examiner's statement of reasons for allowance: the prior arts of Sine and Kobayashi taken alone, or in combination failed to teach, anticipate, suggest, or render obvious the claimed invention or the method steps of the application. Specifically, the prior arts failed to teach, anticipate, suggest, or render obvious the following:

As per Claims 31 and 44:

The references failed to teach the generation of a pass signal in response to the difference between the first-fail and all-fail signals being within a given window.

As per Claim 38:

The references failed to teach the generation of a fail signal if the first-fail and all-fail signals are not generated within a defined limitation.

Consequently, Claims are allowed over the prior arts of record. Claims 32-35, 37, 39-43, 45-46 and 48 are directly or indirectly dependent upon Claims 31, 38 and 44, and therefore are also allowable over the prior arts of record. In total, Claims 31-35, 37-46 and 48 are allowed, and are renumbered as Claims 1-16..

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

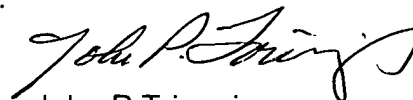
Conclusion

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to John P Trimmings whose telephone number is 703-305-0714. The examiner can normally be reached on Monday through Thursday, 7:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert DeCady can be reached on 703-305-9595. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



John P Trimmings
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Art Unit 2133

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